UNITED STATES PATENT AND TRADEMARK OFFICE

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LEE & HAYES, PLLC
601 W. RIVERSIDE AVENUE
SUITE 1400
SPOKANE, WA 99201

EXAMINER
SQUIRES, ELIZA A

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _24 November 2003_.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-21_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _1-21_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☒ The drawing(s) filed on _24 November 2003_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _3/23/2004, 7/13/2004, 11/15/2004, 8/15/2005_.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   This communication is in response to the application filed on 24 November 2003. Claims

1-21 are pending.

Claim Objections

2.   **Claim 21** is objected to as it is the same as claim 18. The claim should be either modified

to be dependant from a different claim (examiner speculates that this claim was meant to be a

dependant of claim 19), modified to create a distinction between the two claims, or be omitted.

For the purposes of applying art this claim will be interpreted as written.

Claim Rejections - 35 USC § 101

3.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or
> any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and
> requirements of this title.

4.   **Claims 8-21** are rejected under 35 U.S.C. 101 because the claimed invention is directed

to non-statutory subject matter. The claim is directed to a series of steps that neither performs a

transformation or that is substantive tied to another statutory class. In order for a method to be

considered a "process" under 35 U.S.C. 101, a claimed process must either: (1) be tied to another

statutory class (such as a particular apparatus) or (2) transform underlying subject matter (such as

an article or materials). *Diamond v. Diehr*, 450 U.S. 175, 184 (1981); *Parker v. Flook*, 437 U.S.

584, 588 n.9 (1978); *Gottschalk v. Benson*, 409 U.S. 63, 70 (1972). If neither of these

requirements is met by the claim, the method is not a patent eligible process under 35 U.S.C. 101

and is nonstatutory subject matter. The claims recite no substantive tie to another statutory class

in the body of the claims and are therefore rejected.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

6.   **Claims 1-21** are rejected under 35 U.S.C. 103(a) as being unpatentable over 5,272,623 to

Grubb et al. in view of U.S. Patent 7,249,038 to *Luedtke.*

7.   **As to claim 1,** *Grubb* discloses a system for transacting business between multiple

parties, the system comprising:

a server used by a business and being accessible by a customer, the server being

configured to receive electronically transmitted data from the customer (*Grubb* column 6 lines

29-47);

a data mapping system housed on the server, wherein the data mapping system formats

the transmitted data into a standard format that is consistent with one or more segments of the

business (*Grubb* column 2 lines 42-68).

However, *Grubb* does not disclose a filter that determines manual and automatic

processing of information. *Luedtke* discloses:

a filtering system housed on the server, wherein the filtering system is configured to

determine which of the transmitted data can be processed automatically by the one or more

segments of the business and which of the transmitted data needs to be manually reviewed by

one of the one or more segments of the business (*Luedtke* column 15 lines 40-56 and column 16

lines 24-55 also see claim 1).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify *Grubb* with *Luedtke* since the combination improves workflow time by reducing the amount of review required to be performed by personnel.

8.   **As to claim 2,** see the discussion of claim 1, additionally, *Luedtke* discloses the system wherein the standard format is predetermined by the business (*Luedtke* column 16 lines 56-67).

9.   **As to claim 3,** see the discussion of claim 1, additionally, *Grubb* discloses a system, wherein the standard format is universal for all businesses in an industry in which the business operates (*Grubb* column 5 lines 52-68 and column 6 lines 49-68 wherein Government Agency Regulation Clauses (GARCs) are universal for all government contracting businesses).

10.   **As to claim 4,** see the discussion of claim 1, additionally, *Luedtke* discloses the system wherein the transmitted data that is entered is further processed if it is manually reviewed by one of the one or more segments of the business (*Luedtke* column 42-67).

11.   **As to claim 5,** see the discussion of claim 1, additionally, *Luedtke* discloses the system wherein the one or more segments of the business includes underwriting (*Luedtke* abstract).

12.   **As to claim 6,** see the discussion of claim 1, additionally, *Luedtke* discloses the system wherein the server is accessible through the Internet (*Luedtke* figure 1 and column 6 lines 9-39).

13.   **As to claim 7,** see the discussion of claim 1, additionally, *Luedtke* discloses the system wherein the server is remotely accessible (*Luedtke* figure 1 and column 6 lines 9-39).

14.   **As to claim 8,** *Grubb* discloses a method for transacting business between multiple parties, the method comprising:

        receiving at a business electronically transmitted data from a customer (*Grubb* column 6 lines 29-47);

mapping the transmitted data into a standard format that is consistent with one or more

segments of the business (*Grubb* column 2 lines 42-68).

However, *Grubb* does not disclose a filter that determines manual and automatic

processing of information. *Luedtke* discloses:

filtering the transmitted data to determine which of the transmitted data can be processed

automatically by the one or more segments of the business and which of the transmitted data

needs to be manually reviewed by one of the one or more segments of the business (*Luedtke*

column 15 lines 40-56 and column 16 lines 24-55 also see claim 1).

It would have been obvious to one of ordinary skill in the art at the time of the invention

to modify *Grubb* with *Luedtke* since the combination improves workflow time by reducing the

amount of review required to be performed by personnel.

15.   **As to claim 9,** see the discussion of claim 8, additionally, *Luedtke* discloses the method

wherein the standard format is predetermined by the business (*Luedtke* column 16 lines 56-67).

16.   **As to claim 10,** see the discussion of claim 8, additionally, *Grubb* discloses the method

wherein the standard format is universal for all businesses in an industry in which the business

operates (*Grubb* column 5 lines 52-68 and column 6 lines 49-68 wherein Government Agency

Regulation Clauses (GARCs) are universal for all government contracting businesses).

17.   **As to claim 11,** see the discussion of claim 8, additionally, *Luedtke* discloses the method

wherein the transmitted data that is entered is further processed if it is manually reviewed by one

of the one or more segments of the business (*Luedtke* column 42-67).

18.   **As to claim 12,** see the discussion of claim 8, additionally, *Luedtke* discloses the method

wherein the one or more segments of the business includes underwriting (*Luedtke* abstract).

19.   **As to claim 13,** see the discussion of claim 8, additionally, *Luedtke* discloses the method

wherein the transmitted data relates to an insurance claim (*Ludetke* abstract and column 9 lines

45-60)

20.   **As to claim 14,** *Grubb* discloses a method for transacting business between a customer

and a reinsurer, the method comprising:

      receiving data transmitted electronically from a customer;

      mapping the data into a standard format that is consistent with one or

more segments of the business; and

      However, *Grubb* does not disclose that the data corresponds to bordereau data and that it

is submitted to a reinsurer or a filter that determines manual and automatic processing of

information. *Luedtke* discloses:

      Bordereau data submitted to a reinsurer (*Luedtke* abstract)

      filtering the bordereau data to determine which of the transmitted data can be

processed automatically by the one or more segments of the reinsurer and which of the bordereau

data needs to be manually reviewed by one of the one or more segments of the reinsurer (*Luedtke*

column 15 lines 40-56 and column 16 lines 24-55 also see claim 1).

      It would have been obvious to one of ordinary skill in the art at the time of the invention

to modify *Grubb* with *Luedtke* since the combination improves workflow time by reducing the

amount of review required to be performed by personnel.

21.   **As to claim 15,** see the discussion of claim 14, additionally, *Luedtke* discloses the

method further comprising communicating the bordereau data electronically to a common ledger

(*Luedtke* column 20 lines 4-14).

22.   **As to claim 16,** see the discussion of claim 14, additionally, *Luedtke* discloses the method wherein the bordereau data is one of claims bordereau data and excess claims bordereau data (*Luedtke* column 9 lines 45-67), and the method further comprises conducting a claims audit of the bordereau data (*Luedtke* column 9 lines 40-56).

23.   **As to claim 19,** see the discussion of claim 14, additionally, *Luedtke* discloses the method wherein the bordereau data is premium bordereau data, and the method further comprises conducting a premium audit of the bordereau data (column 3 lines 24-44).

24.   **Claim 17-18 and 20-21** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Grubb* in view of *Luedtke* in further view of "Partnerre LTD Annual Report" hereinafter referred to as *Partnerre.*

25.   **As to claim 17,** see the discussion of claim 14, additionally, *Luedtke* discloses the method wherein the bordereau data includes claims bordereau data and excess claims data (*Luedtke* column 9 lines 45-67) and filtering the bordereau data (*Luedtke* column 9 lines 40-56). However, *Luedtke* does not explicitly teach comparing the claims with benchmark data.

Additionally, *Partnerre* teaches comparing loss data of the cedent to the loss data for the industry as a whole in a relevant region (i.e. comparing claims to a benchmark) (*Partnerre* "Underwriting, Risk Management and Retrocession" section "Underwriting" subsection). In addition, though collectively teaching filtering the bordereau data includes automatically comparing the standardized claims bordereau and the standardized excess claims bordereau with benchmark data, *Grubb, Leudtke* and *Partnerre* do not specifically show comparing the standardized claims bordereau and the standardized excess claims bordereau with benchmark data. The comparison of *Partnerre*, however, is shown compare claim information to a benchmark. One of ordinary skill in the art, then, would clearly recognize the comparing the standardized claims bordereau and the standardized excess claims bordereau with benchmark data as applicable to *Grubb, Leudtke* and *Partnerre* because such features merely amount to the kind of insurance data being compared to a benchmark and the comparison method as disclosed in *Partnerre* has sufficient capability to provide the noted functionality.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify *Grubb* and *Leudtke* since the combination would reduce liability by insuring sound investments.

26.   **As to claim 18 and 21,** see the discussion of claim 14 and 17, additionally, *Leudtke* discloses an accounting system (*Leudtke* column 12 lines 4-14).

Additionally, *Partnerre* teaches a benchmark) (*Partnerre* "Underwriting, Risk Management and Retrocession" section "Underwriting" subsection). In addition, though collectively teaching benchmark data stored in accounting system, *Grubb, Leudtke* and *Partnerre* do not specifically show benchmark data stored in accounting system. The accounting system of *Leudtke*, however, is shown to store data. One of ordinary skill in the art, then, would clearly recognize the benchmark data stored in accounting system as applicable to *Grubb, Leudtke* and *Partnerre* because such features merely amount to the arrangement of data and the accounting system as disclosed in *Leudtke* has sufficient capability to provide the noted functionality.

27.   **As to claim 20,** see the discussion of claim 14, additionally, *Luedtke* discloses the method wherein the bordereau data is premium bordereau data (*Luedtke* column 9 lines 45-67) and filtering the bordereau data (*Luedtke* column 9 lines 40-56). However, *Luedtke* does not explicitly teach comparing the data with benchmark data.

Additionally, *Partnerre* teaches comparing loss data of the cedent to the loss data for the industry as a whole in a relevant region (i.e. comparing claims to a benchmark) (*Partnerre* "Underwriting, Risk Management and Retrocession" section "Underwriting" subsection). In addition, though collectively teaching filtering the bordereau data includes automatically comparing the bordereau data with benchmark data, *Grubb, Leudtke* and *Partnerre* do not

specifically show filtering the bordereau data includes automatically comparing the bordereau data with benchmark data. The comparison of *Partnerre*, however, is shown compare data to a benchmark. One of ordinary skill in the art, then, would clearly recognize the comparing the bordereau data with benchmark data as applicable to *Grubb, Leudtke* and *Partnerre* because such features merely amount to the kind of data being compared to a benchmark and the comparison method as disclosed in *Partnerre* has sufficient capability to provide the noted functionality.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify *Grubb* and *Leudtke* since the combination would reduce liability by insuring sound investments.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eliza Squires whose telephone number is (571)270-7052. The examiner can normally be reached on Monday through Friday 8 am - 4 pm Eastern Standard Time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Gilligan can be reached on 571-272-6770. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Eliza Squires/
Examiner, Art Unit 3626
12/9/08

/C Luke Gilligan/
Supervisory Patent Examiner, Art Unit 3626